



#8 DAC

Practitioner's Docket No. 1581/130

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Spiros Fotinos
Application No.: 10/084,264
Filed: February 27, 2002
For: Devices and Methods for the Release of Volatile Substances and Applications Thereof

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT CORRESPONDENCE FILING DATE
FOR "DATE-IN" INCORRECTLY ENTERED OR OMITTED
ON EXPRESS MAIL LABEL
(37 C.F.R. § 1.10(d))

1. This is a petition to accord the correspondence in the above-identified application a filing date of February 27, 2003, which is the date the correspondence was deposited with the U.S.P.S. with proper postage.
2. Submitted herewith is the statement of Robert M. Asher as to when the discrepancy was discovered and establishing that this petition is being filed promptly thereafter. 37 C.F.R. § 1.10(d)(1).
3. Attached is a true copy of the first page of the correspondence which was filed, showing both the date on which this correspondence was mailed as Express Mail Label No. EL603052900US, and that the number of the Express Mail was placed thereon prior to the original mailing. 37 C.F.R. § 1.10(d)(2).
4. Correction is required because the wrong "Date-In" was entered by the U.S.P.S. on the original "Express Mail" label and on the envelope delivered to the PTO.
5. The following establish the showing required by 37 C.F.R. § 1.10(d)(3):

Evidence from the U.S.P.S. as follows:

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

SEP 17 2003

I hereby certify that this correspondence is, on the date shown below, being:

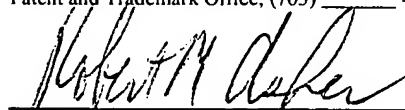
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[x] deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile to the
Patent and Trademark Office, (703) _____


Signature

Date: September 11, 2003

Robert M. Asher

(type or print name of person certifying)



Copy of Express Mail shipping label with incorrect hand-written date of "2/26/02" in the upper left corner of label; the correct date, February 27, 2002, is indicated by the U.S.P.S. round date stamp in the upper right hand portion of label;

Certificate of Express Mail dated February 27, 2002

Copy of our return postcard with our indication of the correct filing date of February 27, 2002

6. Charge any fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

A duplicate of this paper is attached.

Date: September 11, 2003

Robert M. Asher
Registration No. 30,445
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 002101

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Spiros Fotinos

Application No.: 10/084,264

Filed: 02/27/2002

For: Devices and Methods for the Release of Volatile Substances and Applications Thereof

Group No.: 1619

Examiner: Kim, Jennifer M

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT ATTESTING TO MAILING OF P.T.O. CORRESPONDENCE
UNDER 37 C.F.R. § 1.10(d)(1)

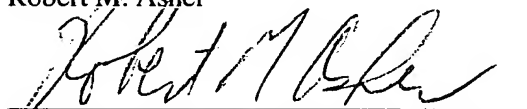
I state that on Feb. 27, 2002, the original of the attached copy of correspondence and Certificate of Mailing was mailed by "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, in an envelope addressed to the " Commissioner for Patents, Washington, D.C. 20231."

A request for corrected filing receipt to display the correct filing date of Feb. 27, 2002, one day later than the incorrect date Feb. 26, 2002 given by the USPTO, was submitted April 8, 2002. No correction has been made and informal efforts to obtain correction to add a day to the filing date have been unsuccessful.

Also attached is a copy of the return post card with respect to the correspondence.

Robert M. Asher

Date: September 11, 2003



Signature of person making this statement

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Attorney Docket No. 1581/130
First Inventor Spiros FOTINOS
Title See 1 in Addendum
Express Mail Label No. EL 603052900 US

APPLICATION ELEMENTS

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, DC 20231

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 17]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Pages 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

02101

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Robert M Asher

Registration No. (Attorney/Agent)

30,445

Signature

Robert M Asher

Date

February 27, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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EL603052900US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKETED

In re application of: FOTINOS, Spiros

Application No.: N/A

Group No.: N/A

Filed: filed herewith

Examiner: N/A

For: Devices and Methods for the Release of Volatile Substances and Applications Thereof

Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL 603052900 US

Date of Deposit 02/27/2002

I hereby state that the following *attached* paper or fee

utility patent application and related papers

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Robert M. Asher

Signature of person mailing paper or fee



Incorrect Date

Correct Date

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TO ADDRESSEE**



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Date In 22602	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 12.45
Time In 11:42	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
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RMA/bg

The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Inventor: Fotinos

Patent No: 1581/130

Title: Devices and Methods for the Release of Volatile Substances and Applications Thereof

Art Unit: N/A

Serial/Patent No: N/A

Examiner: N/A

Date: February 27, 2001

Express Mail No: EL 603052900 US

Filing/Issue Date: filed herewith

Documents:

- (X) New Application Transmittal
() Provisional Application Cover Sheet
(X) Description - 13 pages
(X) Claims - 3 pages
(X) Abstract
(X) Application Data Sheet
() Request and Certification under 35 USC 122(b)(2)(B)(i)
(X) 1 sheet of drawings
(X) formal () informal
() Transmittal of Formal Drawings
(X) Declaration & Power of Attorney
() executed (X) unexecuted
() Completion of Filing Requirements

- () Amendment Transmittal
() Amendment (Preliminary)
() Response to Final Office Action
() IDS & References
() Petition for month Extension
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